

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CHARLES GAYLES

PLAINTIFF

v.

No. 4:22CV34-SA-JMV

NATHAN BURL CAIN, ET AL.

DEFENDANTS

FINAL JUDGMENT

In accordance with the memorandum opinion entered this day, the plaintiff's motion [9] for leave to amend is **DENIED**. In addition, the defendants' motion [12] to dismiss under Fed. R. Civ. P. 12(b)(6) is **GRANTED**, and the instant case is **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted. In addition, in the alternative, the case is **DISMISSED** without prejudice under Fed. R. Civ. P. 41(b) for failure to comply with an order of the court and because the *pro se* plaintiff may not represent a putative class in a class action suit. In light of this ruling, the remaining pending motions [14], [15] are **DISMISSED** as moot. This case is **CLOSED**.

SO ORDERED, this, the 29th day of March, 2023.

/s/ Sharion Aycock
U. S. DISTRICT JUDGE